

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

METRO FOUNDATION CONTRACTORS, INC.,

Plaintiff,

09 Civ. 6796 (JGK)

- against -

ORDER

ARCH INS. CO.,

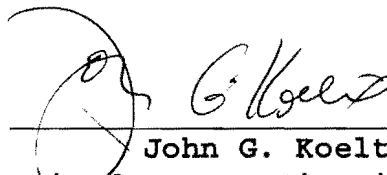
Defendant.

JOHN G. KOELTL, District Judge:

As discussed on the record during today's telephone conference, the request of the third-party defendants for permission to file a motion seeking increased sanctions and an order of contempt against the plaintiff is **granted**. The plaintiff's request for leave to file a motion to dismiss the third-party defendants' claims for lack of subject matter jurisdiction is **granted**.

SO ORDERED.

Dated: New York, New York  
February 16, 2011

  
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John G. Koeltl  
United States District Judge

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